

REMARKS

Claims 1-50 are pending in this application. All of the pending claims were rejected. Claims 1, 9, 17, 25, 32, 39, 47 and 48 are currently amended. Reconsideration is respectfully requested.

Claims 1, 9, 17, 30, 31, 37, 38, 44, 45, 49 and 50 were rejected under 35 U.S.C. 103(a) over Gfeller in view of Dewberry. The Office relies on Gfeller alone as teaching transmitting a plurality of copies of the outgoing signals in different directions. However, Gfeller simply teaches transmission modules, not transmission of a plurality of copies of an outgoing signal in different directions. As described in the Specification at page 4, line 29, a light beam from an optical transponder includes a plurality of light rays. While a light beam is a suitable carrier for a signal, individual light rays are not a practical carrier for individual copies of a signal. Gfeller teaches modules configured to emit light rays in different directions, but those rays collectively still constitute a single light beam and are therefore unsuitable for transmitting multiple copies of a signal. Claims 1, 9, 17 and 47 have been amended to emphasize this distinction by reciting that the first directional transmitter transmits in a first cone of focus, and the second directional transmitter transmits in a second cone of focus. Support for this claim language is in the specification at page 4, lines 28-29. Because Gfeller and Dewberry fail to teach transmission in first and second cones of focus, withdrawal of the rejection of claims 1, 9 and 17 is respectfully requested. Claims 30, 31, 37, 38, 44, 45, 49 and 50 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims.

As a result of transmitting in different cones of focus in different directions, the copies may arrive at the receiver at different times, even if transmitted simultaneously. In particular, the

distance traversed by the signals in the different directions may differ, as illustrated in Figure 1 and described at page 5, lines 3-9. Claims 1, 25, 32, and 39 have been amended to emphasize this distinction by reciting that the first and second copies of the outgoing signal are received at different times. Because Gfeller and Dewberry fail to teach receiving copies at different points in time, withdrawal of the rejection of claim 1 is respectfully requested.

Claims 25-29, 32-36, 39-43 and 46-48 were rejected under 35 U.S.C. 102 as being anticipated by Gfeller. Applicant respectfully traverses for the same reasons stated above with respect to the combination of Gfeller and Dewberry.

Claims 25-29, 32-36, 39-43 and 46-48 were rejected under 35 U.S.C. 102(b) as being anticipated by Segev. Applicant respectfully traverses. As discussed above, claim 47 recites use of first and second cones of focus to transmit the different copies of the signal. Further, claims 25, 32 and 39 recite receiving the copies at different points in time. Segev fails to teach receiving copies at different points in time, and explicitly states that the transmitter is omnidirectional.¹ An omnidirectional antenna does not, by definition, transmit in a cone of focus. Withdrawal of the rejections of claims 25, 32, 39, and 47 is therefore requested. Claims 26-29, 33-36, 40-43, 46, and 48 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims.

Claims 3, 11 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gfeller in view of Dewberry and further in view of Ota, and also in view of Segev in view of Dewberry and further in view of Ota. Claims 4, 12 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gfeller in view of Dewberry and further in view of Rutledge, and also in view of Segev in view of Dewberry and further in view of Rutledge. Claims 3, 4, 11, 12, 19,

and 20 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims as already discussed above.

Claims 1, 2, 5-10, 13-18, 21-24, 30, 31, 37, 38, 44, 45, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Segev in view of Dewberry. As discussed above, claims 1, 9 and 17 have been amended to recite that the copies are transmitted in first and second cones of focus. The Office relies on Segev alone for teaching transmission of a plurality of copies of the signal. However, Segev explicitly teaches that transmissions are omnidirectional² rather than in cones of focus. Withdrawal of the rejections of claims 1, 9 and 17 is therefore requested. Claims 2, 5-8, 10, 13-16, 18, 21-24, 30, 31, 37, 38, 44, 45, 49 and 50 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims.

¹ Abstract

² Id.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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